

REMARKS

Claims 1-18 and 20-22 are pending in the present Application. By this Reply, no claims have been added or cancelled, and claims 1, 14, and 20 have been amended. Accordingly, claims 1-18 and 20-22 are currently at issue.

I. Examiner Interview

Examiner Patel conducted a telephonic interview regarding this case on June 22, 2010, including Applicant's attorneys Joseph Berghammer and Gregory Schlenz, Applicant's representative Marc Santarini, and inventor Sylvain Henry. In the interview, the present rejections of claims 1, 14, and 20 under § 103 were discussed, as well as the cited Childree reference. The Examiner agreed in a follow-up call on June 28, 2010, that the present amendments to claims 1 and 20 would overcome the rejections under § 103. The Examiner also agreed that the present amendments to claim 14 would overcome the rejections under § 103. Applicant thanks Examiner Patel for his time in conducting the interview.

II. Rejections Under 35 U.S.C. § 103

In the Office Action, claims 1, 5, 9-11, 14, 17, 20, and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0041822 to Childree ("Childree") in view of U.S. Patent Application Publication No. 2003/0155409 to Dockus et al. ("Dockus"). Additionally, claims 2-4, 8, 12, 15, 18, and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Childree and Dockus in further view of U.S. Patent No. 5,863,669 to Miller ("Miller"). Further, claims 6-7 and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Childree and Dockus, in view of U.S. Patent No. 4,929,511 to Bye et al. ("Bye"). Still further, claim 13 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Childree and Dockus, in view of U.S. Patent No. 6,234,377 to Teshima et al. ("Teshima"). Applicant respectfully traverses these rejections.

A. Claims 1, 5, 9-11, and 21

Claim 1, as amended, includes, among other features, "an aluminum brazing alloy ... the aluminum brazing alloy having no intentional addition of sodium." As described above, the Examiner agreed that the amendments to claim 1 would overcome the rejection over Childree and Dockus. Accordingly, no *prima facie* case of obviousness exists with respect to claim 1.

Claims 5, 9-11, and 21 depend from claim 1 and include all the features of claim 1. Thus, for the reasons stated above with respect to claim 1, no *prima facie* case of obviousness exists with respect to claims 5, 9-11, and 21.

B. Claims 2-4, 8, 12, and 22

Claims 2-4, 8, 12, and 22, via dependency from claim 1, include, among other features, “an aluminum brazing alloy … the aluminum brazing alloy having no intentional addition of sodium.” As described above with respect to claim 1, the proposed combination of Childree and Dockus does not disclose this claim feature. Miller also does not disclose this claim feature. Thus, no *prima facie* case of obviousness exists with respect to claims 2-4, 8, 12, and 22.

C. Claims 6-7

Claims 6-7, via dependency from claim 1, include, among other features, “an aluminum brazing alloy … the aluminum brazing alloy having no intentional addition of sodium.” As described above with respect to claim 1, the proposed combination of Childree and Dockus does not disclose this claim feature. Bye also does not disclose this claim feature. Thus, no *prima facie* case of obviousness exists with respect to claims 6-7.

D. Claim 13

Claim 13, via dependency from claim 1, includes, among other features, “an aluminum brazing alloy … the aluminum brazing alloy having no intentional addition of sodium.” As described above with respect to claim 1, the proposed combination of Childree and Dockus does not disclose this claim feature. Teshima also does not disclose this claim feature. Thus, no *prima facie* case of obviousness exists with respect to claim 13.

E. Claims 14 and 17

Claim 14 includes, among other features, “coating one or more plates on at least one face with a single layer consisting of a cladding alloy … the cladding alloy being free of sodium.” As described above, the Examiner agreed that the amendments to claim 14 would overcome the rejection over Childree and Dockus. Accordingly, no *prima facie* case of obviousness exists with respect to claim 14.

Claim 17 depends from claim 14 and includes all the features of claim 14. Thus, for the same reasons stated above with respect to claim 14, no *prima facie* case of obviousness exists with respect to claim 17.

F. Claims 15 and 18

Claims 15 and 18, via dependency from claim 14, include, among other features, “coating one or more plates on at least one face with a single layer consisting of a cladding alloy … the cladding alloy being free of sodium.” As described above with respect to claim 14, the proposed combination of Childree and Dockus does not disclose this claim feature. Miller also does not disclose this claim feature. Thus, no *prima facie* case of obviousness exists with respect to claims 15 and 18.

G. Claim 16

Claim 16, via dependency from claim 14, includes, among other features, “coating one or more plates on at least one face with a single layer consisting of a cladding alloy … the cladding alloy being free of sodium.” As described above with respect to claim 14, the proposed combination of Childree and Dockus does not disclose this claim feature. Bye also does not disclose this claim feature. Thus, no *prima facie* case of obviousness exists with respect to claim 16.

H. Claim 20

Claim 20, as amended, includes, among other features, “an aluminum brazing alloy … the aluminum brazing alloy having no intentional addition of sodium.” As described above, the Examiner agreed that the amendments to claim 20 would overcome the rejection over Childree and Dockus. Accordingly, no *prima facie* case of obviousness exists with respect to claim 20.

CONCLUSION

In view of the foregoing, Applicant respectfully requests reconsideration of the Examiner's rejections and allowance of claims 1-18 and 20-22 in the present Application. Applicant submits that the Application is in condition for allowance and respectfully requests an early notice of the same.

Respectfully submitted,

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